

COMMITTEE REPORT

Date: 21 February 2013 **Ward:** Hull Road
Team: Major and **Parish:** Hull Road Planning
Commercial Team Panel

Reference: 12/03551/FULM
Application at: 1 Matmer House Hull Road York YO10 3JW
For: Front and rear extension to ground floor shops, change of use of first floor to create 16no. 1 bedroom student flats, create two new floors to accommodate a further 31no. 1 bedroom student flats. Free standing unit containing a lettings / management office with managers accommodation over, incorporating cycle, bin and furniture stores (resubmission)
By: Mr Asghar Choudhury
Application Type: Major Full Application (13 weeks)
Target Date: 26 February 2013
Recommendation: Refuse

1.0 PROPOSAL

1.1 This application seeks planning permission for an extension to Matmer House in order to create larger retail units on the ground floor with student residential accommodation over the three floors above. It is proposed to retain the existing building and to extend to the front and rear and two storeys above to create a substantially larger building in terms of both footprint and height. Seven shop units would be retained and extended with a total of 47 one bedroom student flats created on the upper levels. The student flats proposed are self contained with no shared facilities other than bin and cycle stores.

1.2 Matmer house is a two storey flat roof building located along Hull Road close to the junction with Melrosegate. The building primarily contains a mix of retail and hot food takeaway units on the ground floor with offices above. Matmer House sits within a small parade of retail type uses which primarily serve the surrounding residential area. The site sits on a main arterial route into the City and lies approximately 800m east of Walmgate Bar. The University of York Campus is approximately 500m to the south. To the rear is a car park which is used to service shops at Matmer House as well as those on Melrosegate and provides parking for approximately 35 cars. Following the development approximately 28 car parking spaces would be retained. The application proposes the erection of a two storey management building within the car park; this would contain residential accommodation for a site manager, an office and well as bin and furniture storage space. Within the car park area would remain an existing an electricity substation.

1.3 Matmer House has a frontage of approximately 37m in length, the buildings depth is approximately 12.5m. The building is of flat roof design and measures 7.8m in height. The building is mid-twentieth century and is of little architectural merit. The proposed extension retains the length of the frontage but increases the building's depth to 22m; this is achieved through a significant extension to the front and rear. Attached to the front extension is proposed a glazed walkway canopy across the whole frontage which is approximately 3m in depth. This canopy would cover part of the public highway footpath. The proposed development would reach a maximum height of 14.3m with the main ridge being 13.1m above ground level. The eaves height is 11.5m. The proposed building is primarily finished in render with a number of tiled pitched roof elements proposed, the building steps back from the front and in from the side at each storey. The management office is two storeys in height with a pitched roof. The building would have a footprint of 10.5m by 7m with an eaves and ridge height of 4.6m and 6.7m respectively.

1.4 The application site is unallocated 'white land' on the Local Plan Proposals Map. The whole of the site is within Flood Zone 1 and therefore is at low risk of flooding from rivers. The site is not within a Conservation Area and there are no listed buildings within the immediate vicinity.

1.5 This application is a re-submission of application 12/01338/FULM which was withdrawn following concerns being expressed by Officers. The most significant change in the proposal from that previously considered is a change in design which has been revised in an attempt to overcome concerns with regard to visual impact and the impact on neighbouring amenity.

1.6 A site visit is recommended to enable Members to understand the visual impact of the proposed development, the potential impact on local residents, the car parking and access arrangements, as well as any other concerns expressed by local residents within the context of the site.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: East Area (1) 0003

2.2 Policies:

CYSP6 Location strategy

CYSP7A The sequential approach to development

CYS9 No loss of local or village shops

CYE3B Existing and Proposed Employment Sites

CYED10 Student Housing

CYGP1 Design

CYS10 New local and village shops

3.0 CONSULTATIONS

INTERNAL

SPORT AND LEISURE

3.1 As there is no on-site open space commuted sums should be paid to the Council for

a) amenity open space - which would be used to improve a local site such as Hull Rd Park

b) play space - which would be used to improve a local site such as Hull Rd Park, Managers accommodation only as student units are only 1 bed.

c) sports pitches - would be used to improve a facility within the East Zone of the Sport and Active Leisure Strategy.

The contribution to off site provision is to be based on the latest York formula through a Section 106 Agreement.

ENVIRONMENTAL PROTECTION UNIT

3.2 Concerns around the level of amenity of the proposed occupants due to noise and odour. The proposed development is situated above existing retail units, these units include a number of take away businesses and a laundrette, there is also a main arterial route into York, Hull Road. Noise and odour from the day to day activities could affect the amenity of the residents of the proposed dwellings, these could include. To ensure that the amenity of the occupants of the proposed development is protected EPU recommend a noise assessment survey be completed looking at the noise associated with the local area and what improvement should be made to ensure sufficient protection is achieved for the proposed residents.

3.3 From the application it is unclear whether the existing businesses will be retained in the development or whether new businesses would be accommodated. If existing businesses are to remain they may have inadequate ventilation/extraction

systems which would not protect the proposed residents from noise or odour as they have to date not had to factor residents in close proximity to their business practices, this must be considered by the applicant.

3.4 EPU would also like to ensure that existing local residents are not adversely affected by noise from the development of the site. We would recommend that the developers are restricted by condition to reasonable hours of site development and ask that the developers also submit a noise management plan to ensure that site development uses best practical means that will help to control site noise.

3.5 The proposed development is not contained within City of York Council's Air Quality Management Area (AQMA), as levels of nitrogen dioxide (NO₂) at property facades in this area are not considered to be in breach of the health based air quality objective values.

HIGHWAY NETWORK MANAGEMENT

3.6 Insufficient information has been provided in order to enable the impact of the application to be properly assessed.

1) It is not clear from the submitted information who the car parking is intended to serve (existing shops, new retail units, flats) or whether adequate parking remains following the redevelopment. A plan clearly allocating and annotating the car parking for the different units/uses should be supplied.

2) Details of measures/a management plan detailing the initiatives which will be implemented in order to prevent students bringing vehicles to site must be supplied. This should clearly set out that a low/no car ownership policy will be used and secured through the tenancy agreements with penalties should the policy be disregarded. Consideration must also be given and detail provided for how the site will be managed during the term end/start dates when students will be bringing belongings to site/taking them away from site. This will inevitably be by car and has the potential to cause serious disruption if not managed effectively.

3) The development footprint appears to stand on land which is publicly maintainable highway, this is not acceptable.

4) Swept path analysis of servicing traffic together with details of how this will take place needs to be supplied.

5) It is stated that 46 cycle spaces are to be provided, yet it is not clear from the plans where this number are to be provided. Separate cycle parking for both staff of the retail units (covered and secure within each unit) and for the public visiting the site (to the site frontage) also needs to be provided. Staff and public cycle parking shall be in the form of Sheffield stands at 1m centres. A cycle space measures 0.5m x 1.8m.

6) A number of the car spaces within the rear car parking area are not practical and it doubtful whether vehicles could realistically use these spaces.

7) The application should be supported by a Travel Plan, particularly for the student accommodation which details measures and initiatives which seek to minimise private car use.

EXTERNAL

HULL ROAD PLANNING PANEL

3.7 Welcome the redevelopment of Matmer House, however strong objections are raised to the current application due to:

- Gross overdevelopment of the site with little regard for neighbouring properties, the building should be two storeys in height only;
- There is a lack of a sun path diagram with the submission and there are concerns about overshadowing neighbouring properties;
- The proposed development appears incongruous in appearance and results in development over the highway;
- There would be a loss of amenity for neighbours through noise, nuisance and overlooking;
- The plans show a distinct lack of waste storage for both the retail units and student accommodation;
- There is an insufficient quantity of cycle parking for the number of student flats;
- The application proposal results in a decrease in the number of car parking spaces available but a significant increase in retail and residential floor space resulting in insufficient car parking provision;
- The development requires the removal of 2 large planters containing a mature tree from the front of the property and several trees to the rear car park. Although currently the planters are overgrown and not maintained the soft landscaping is beneficial to soften the appearance of the hard landscaped frontage.

CLLR NEIL BARNES

3.8 Objects to the application on the same grounds as Hull Road Planning Panel. A sensitive and measured redevelopment of Matmer House would be supported, but the current application is so far removed from reality and logic that it cannot be supported. There have been recent planning permissions for large scale student accommodation in the area, the impact on the local infrastructure has not yet been realised. The City needs affordable housing for young professionals and families. The application makes no attempt to be sensitive to its surroundings not does it provide adequate waste disposal or parking provisions. The proposal would create sub-standard housing which would not meet resident's needs whilst having a big impact on the local area and existing residents. The application perpetuates a myth that demand for student housing continues to grow strongly in the east of the city.

Cllr Barnes wishes for the application to be heard at Planning Committee so that he can make full representation on behalf of local residents.

POLICE ARCHITECTURAL LIAISON OFFICER

3.9 The application site is in an area of risk in respect of crime and disorder. The National Planning Policy Framework (England) paragraph 58 and 69, states that planning policies and decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Design and Access Statements should show how crime prevention has been considered within an application. The applicant has not demonstrated in any of the documentation submitted how crime prevention has been considered in respect of this proposal (see 2. above). The area around the application site has a high concentration of student accommodation. This can create high levels of residential turnover resulting in little long term commitment to the area, a decline in community spirit and very little opportunity for community interaction. I have visited the application premises on a number of occasions in the past, as a result of certain shops and business premises suffering from crime. Recessed areas to the rear of the shops are proposed which can attract crime. Too many cycles parked in a store could jeopardize security by placing a reliance on so many individuals to remember to secure the stores after use. Residents could soon become reluctant to park cycles in these areas. There is insufficient car parking which could lead to indiscriminate car parking which can cause conflict and the potential for crime. There is no lighting within the rear car park at the moment, lighting should be added and the car parking area should be approved to provide a sense of the place being cared for. The alleyway to the side of Matmer House should either be designed out or lit and covered by CCTV. The security of the communal bin store, within the manager's accommodation building, needs very careful consideration. It is located where users will be totally out of sight and it will not be directly overlooked, particularly from the student flats. This raises issues about 'fear of crime', arson and the creation of a possible entrapment site. With a student development of this size, it is important that it is properly managed with a member of staff available 24hrs per day. Good management minimises potential negative impacts from occupants or the development on surrounding properties and neighbourhoods, and creates a positive and safe living environment for students. A robust management plan should therefore be a requirement of this application.

YORKSHIRE WATER

3.10 No comments to make.

LOCAL RESIDENTS

3.11 Ten letters of objection received from the following addresses; owner of 1 and 3 Millfield Avenue, 204 and 204a Melrosegate 277 a, b, and c Melrosegate, residents of 5, 7, 13, 14 Millfield Avenue, 277c Melrosegate, 41 Hull Road, 39 Hull Road. The following objections were made:

- The proposed construction would reduce the amount of natural light entering the back gardens of Millfield Avenue and result in a loss of privacy through overlooking both into gardens and windows ;
- The noise of the construction would be a disturbance to local residents;
- An increase in the student population in the area may create a further source of disturbance in the evenings;
- The proposal states that there will be no additional parking for the properties, parking in neighbouring roads is already difficult for existing residents, more residents would add extra demand for car parking in the surrounding area further adding to the indiscriminate parking issue in the area;
- The application proposal does not provide anywhere for students to park;
- The application has not changed significantly from the previous submission, the current proposal raises the same concerns;
- The proposal is very overpowering and substantially invades the current frontage and car park to the rear;
- The application is a gross overdevelopment of the site;
- The proposal is oppressive and overbearing for adjoining occupants;
- The building is incapable of taking additional loads, the existing structure would need to be replaced,
- No gutters are shown which could result in rainwater gushing down into neighbouring gardens, if gutters are proposed this would overhand neighbouring gardens which would make the application submission invalid;
- The proposed development is a monstrosity, has no benefits for local residents and would de-value house prices in the area;
- Matmer House is in need of restoration and the community would support this because currently it is very neglected, however this need not overcome the concerns raised;
- Concerns over the loss of trees within the back garden which currently help to maintain some privacy;
- There have been recent large scale developments of student accommodation in the area and the proposal would further add to this resulting in a loss of balance between student and longer term residents;
- No new open space is proposed to cater for the additional number of residents;
- The proposal could add to existing sewage problems in the area;
- The proposal could create more anti-social behaviour problems;
- The proposal is too high and out of character with surrounding two storey buildings, as the development in Lawrence Street demonstrates;

- The University should provide sufficient accommodation on their campus;
- The proposal would significantly block the amount of natural lighting entering the rear of 227 a, b, and c Melrosegate;
- Insufficient space is provided for waste storage, at the moment shop and takeaway bins are simply left in the car park;
- The proposal reduces the number of car parking spaces but increase the number of spaces required to meet demand;
- There has been a large number of new student accommodation recently built in the area, however the current application has not been accompanied by a needs assessment, the City of York Council's current policy on student accommodation states that there should be an identified need on windfall sites;
- An application of this size should have been subject to detailed pre-application discussions and public consultation, this application has not;
- The proposed development would put existing businesses in Matmer House out of business.

LOCAL BUSINESSES

3.12 Two letters of objection received from someone representing 267 and 273 Melrosegate and the unit operator at 271 and 273 Melrosegate. The following comments were made:

- Existing businesses have the right to park vehicles in the car park, a right of way over part of the car parking area and a right to place bins to the rear of their units. 267 and 273 Melrosegate have the right to park 6 vehicles within the existing car park. The proposed development would restrict the ability of remaining shops to leave bins to their rear as car parking is proposed in this area and would also restrict access to car parking spaces. The proposed car parking arrangement does not show sufficient space for vehicles to manoeuvre in and out of the majority of bays. There is insufficient space for waste trucks to enter the site, turn around and exit in a forward gear.
- Charity shop at 271 and 273 Melrosegate relies on a regular supply of donations and this requires easy access for those donating. Donations are taken into the back room to be sorted, access to the rear is also needed for the collection of waste and recycling. Shops in the area provide a vital, varied and vibrant community shopping facility which would be undermined by the proposed development because of the loss of access and car parking spaces. The proposed development is too tall and would result in the loss of an important forecourt area along Hull Road. Insufficient waste and recycling storage capacity is proposed.

4.0 APPRAISAL

4.1 The key issues are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Residential Amenity
- Access, Car and Cycle Parking
- Refuse and Recycling Storage

PRINCIPLE OF DEVELOPMENT

4.2 The principle in favour of sustainable development is the basis for every planning decision as set out in the NPPF. Sustainable development is considered to have a social, economic and environmental perspective. The planning system is about making this happen and it is stated that sustainable development should go ahead without delay.

4.3 The Development Control Local Plan (DCLP) is considered to be a material consideration in the determining of planning applications where the guidance is consistent with that in the National Planning Policy Framework (NPPF). Policies SP6 'Location Strategy' and SP7a 'The Sequential Approach to Development' seek to make effective use of brownfield land and locate development in sustainable locations which are not reliant on the car. Policy S9 'Loss of Local of Village Shops' seeks to protect shops where they provide a service and facility to the local community. Policy E3b 'Existing and Proposed Employment Sites' seeks to protect existing employment uses from changing use unless there is a sufficient supply of employment need and other benefits derive from the development. Policy ED10 'Student Housing' sets criteria for assessing planning applications for off campus student residential accommodation, this includes identifying a need, being accessible by sustainable transport choice, the location and scale are appropriate to the surroundings, the development would not be detrimental to the amenity of nearby residents, and car parking will be satisfactorily managed.

4.4 The application site is in a highly sustainable location, close to local services and facilities including shops, the University, open space, and the City Centre which can all be accessed by sustainable transport choice. It is considered that the redevelopment of this site to create a more efficient use of the land is sustainable. Whilst the vast majority of shop units within Matmer House have been regularly occupied in recent years, the applicant states that their proposed expansion improves their viability and therefore it would better serve the community. Whilst significant details have not been provided with regards to the need for new student accommodation, it is stated within the applicant's supporting information that they believe there is a need for new student accommodation. It is stated that new purpose built student accommodation can reduce the pressure on the family

housing sector to provide student accommodation. Given the strong presumption in favour of sustainable development, the sustainable site location, the lack of an adopted Local Plan, and the lack of local guidance on student housing need as well as the identified problem of the loss of a number of family type housing to house in multiple occupation (HMO) use in some areas of the city, it is not considered that objections could be raised to the proposed development of just 47 student accommodation rooms on the basis of a lack of demonstrated demand.

4.5 The proposed development would provide construction jobs as well as longer term jobs within the enlarged retail units and in terms of managing the student accommodation. However, the Development Control Local Plan seeks to protect the loss of employment uses, such as the offices which are currently on the first floor of Matmer House. However, the loss of employment land needs to be considered in light of the quality and quantity of the provision. Whilst the site is accessible and sustainable, Matmer House is not a prime location for office type uses. It is isolated from other office uses and does not provide the type of high quality and flexible space which is currently needed. There is no evidence to suggest that the loss of the current site for employment uses would have any significant impact on the ability of businesses to find suitable accommodation. There is a supply of better quality and more flexible office accommodation elsewhere in the city. Given the other economic benefits which may derive from the proposed development, it is not considered that objections could be raised to the loss of employment land.

4.6 Overall it is considered that the principle of development is acceptable. A suitable redevelopment of Matmer House could have a positive impact on the social and economic needs of the City.

VISUAL IMPACT

4.7 Paragraph 8 of the NPPF states that well-designed buildings and places can improve the lives of people and communities. Paragraph 9 states that planning sustainable development involves seeking positive improvements to the quality of the environment and people's quality of life, one of the key ways of achieving this is replacing poor design with better design. One of the core planning principles set out in the document is seeking high quality design. The emphasis which the NPPF places on good design is further emphasised in Chapter 7 'Requiring Good Design' which states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.' Paragraph 64 states that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

4.8 Matmer House has no particular architectural merit and is not considered to make a positive contribution to the character and appearance of the area. The building and its surroundings, including the car park, are not in the best state of repair. The redevelopment of the site provides a good opportunity to replace the existing building with something of higher quality which can positively contribute to the way the site appears and functions within its surroundings. The majority of other buildings in the area are two-storey in height; this includes a large number of houses and more locally the two storey convenience store on the corner of Hull Road and Melrosegate. This building is considered to set the visual context of the site as viewed from the west. Immediately to the east of Matmer House is a single storey building used as a betting office. There are some two and a half storey residential dwellings further to the east. Whilst there are a variety of building heights along Lawrence Street, the application site sits on a visually prominent corner location within the context of two storey buildings.

4.9 The proposed development is significantly greater in height than those surrounding it. The 37m frontage length combined with the four storey building height would create a visually dominant building. The sense of the building not respecting but instead being imposed onto the area is further emphasised by the significantly increased depth of the building. The 22m building depth would be seen above surrounding buildings from all public vantage points. It is not considered that the scale and mass of the building respects the character of the area and it would dominate the street scene.

4.10 Whilst developing buildings in accordance with existing building lines is not always necessary or appropriate for a site, it is considered that the proposed extension significantly in front of the current build line further adds to the sense of the proposed building visually dominating the area. The proposal significantly steps forward of the existing front elevation of Matmer House at ground floor level and encroaches onto the public highway through the glazed canopy. The sense of space between Matmer House and Hull Road would be significantly eroded to the detriment of the character of the area.

4.11 It is not uncommon for streets to contain buildings which have a variety of heights. This can add interest to a street scene. However, when a building is significantly greater in height than those in the area and additionally steps forward significantly of its neighbouring buildings, it can dominate the street. Matmer House has no space around it and therefore is not viewed as a stand alone building but as one within a group. The applicant in trying to address previously expressed concerns about height, dominance, and the impact on neighbours, has amended the design from the previously withdrawn application. The building height has been reduced, the building has been designed to step up from the sides, and the amount of accommodation at upper floors has been reduced. This all reduces the visual bulk of the building a little. However, it is not considered that the revised plans have gone far enough and the amount of development proposed on site is significantly

more than it is able to accommodate visually. In addition, the amended design has created a building which appears contrived and overcomplicated, particularly in terms of the roof structure.

4.12 At present there are two large tree pits in front of Matmer House on the public highway. It is understood that the tree from one of these pits has recently been removed due to poor health. However, a substantial mature tree remains in the other planting pit. This tree is shown as being removed and could not be retained at this close relationship to the front of the proposed building.

4.13 The proposed manager's office and accommodation with stores has been designed to appear residential in character. The building has a pitched roof and has similar proportions to a typical two storey house. Given the location of this building set well back from Melrosegate it is not considered that it would have any significant impact on the visual amenity of the area.

IMPACT ON NEIGHBOURING RESIDENTIAL AMENITY

4.14 Policy GP1 of the DCLP seeks to protect neighbouring residential amenity in terms of noise, disturbance, overlooking, overshadowing or dominated by overbearing structures. One of the core planning principles within the NPPF is seeking a good standard of amenity for existing occupants.

4.15 It not considered that the creation of additional shop floor space would have a significant impact on residential amenity. Whilst an increase in footprint could result in a small increase in the number of deliveries and amount of custom, it is not considered that this would significantly harm the level of amenity which neighbouring residents could reasonably expect to enjoy given the existing uses at Matmer House which includes retail and late night takeaways. Matmer House is within a small parade of local shops close to busy roads.

4.16 The creation of student accommodation use on the site, if suitably planned and managed, would not have a significant impact on residential amenity. The surrounding area is predominantly residential and the creation of a certain level of student accommodation in this vicinity could be designed such that residential amenity is not significantly harmed. Students are often associated with later night activities; however the site is close to a busy crossroad with other surrounding late night uses. There is already a level of later night activity in the area which the proposed development would not significantly increase.

4.17 However, as previously stated it is considered that the applicants have tried to accommodate more on the site than it can reasonably accommodate. This overdevelopment, as well as having a visual impact, would have an impact on residential amenity. A number of objections have been received from local residents along Millfield Avenue to the east and dwellings along Melrosegate to the west. The

proposed development increases the height of Matmer House and its depth significantly without bringing it in from the side boundaries. Matmer House is built up to both the east and west boundary. The rear of some houses on Millfield Avenue back onto the application site. Nos. 1-5 Millfield Avenue have rear gardens of between approximately only 5 and 10m in length. The existing relationship between Matmer House and 1 and 3 Millfield Avenue is tight such that the outlook from the back of these dwellings is already dominated by Matmer House. Whilst the proposed plans include a significant step-in of the proposed building from the east side so that there is no additional development on the boundary with these houses, it is considered that the extra depth of the building and the total height will add to the sense of being enclosed by development. At present there is some relief and outlook from upstairs windows of these houses, the proposed development would remove this.

4.18 The proposed development represents a significant increase in the footprint and height of Matmer House. It is considered that this would have a harmful impact on the amount of natural light entering neighbouring gardens and houses. Matmer House is south west and west of houses on Millfield Avenue and south east and east of dwellings to the rear of Melrosegate. It is considered that the closeness of the proposed extensions to neighbouring curtilages combined with the significant height would result in a loss of light into these dwellings and gardens. These dwellings tend to have small or no garden areas and a limited outlook, it is considered for this reason that a loss of light would have a greater impact on residential amenity than would be the case in some other locations. In addition it is considered that the current design creates a loss of privacy within the rear gardens of some dwellings on Millfield Avenue through overlooking from rear windows towards the eastern end of the proposed extension.

4.19 To the west are buildings along Melrosegate which whilst primarily being retail units on the ground floor, contain bedrooms on upper floors and sometimes on the ground floor to the rear. The dwelling most affected by the proposed development within this row are flats within 277 Melrosegate. This unit contains three flats over three floors at the rear. Rear windows within these flats currently have a fairly open outlook over the car park. The proposed increase in the depth of Matmer House significantly impacts upon this. The applicant has attempted to address this concern by stepping the building in at this point at first storey level and above. However, the development still includes a 4.5m high wall just over 3m from the rear windows of 277 Melrosegate. It is understood that the ground floor flat of 277 Melrosegate has an outlook only to the rear, it is considered that the proposed development would significantly harm the living conditions of the occupier of this flat through a loss of this outlook. The building is set in a further 8.9m from the western boundary at first storey level and above, however this does not overcome the concerns about the proposed development appearing oppressive and overbearing when viewed from flats within 277 Melrosegate.

4.20 The proposed manager's office and accommodation with stores is approximately 7m to the north of dwellings at Matmer Court. Dwellings at Matmer Court are on ground set significantly below the car park of Matmer House. It is the side elevation of dwellings on Matmer Court which would face the proposed building. There are no proposed windows other than roof lights within the north elevation of the proposed manager's office and accommodation and it is not considered that there would be an unacceptable impact on residential amenity at Matmer Court.

ACCESS, CAR AND CYCLE PARKING

4.21 Access to Matmer House is not proposed to change. Vehicle access is provided via Melrosegate. It is not considered that the level of traffic likely to be associated with the proposed extensions is likely to have any significant impact on the local highway network in terms of traffic numbers. It is considered that the existing access is sufficient to serve the proposed uses.

4.22 Some of the existing car park would be built upon through the extensions to Matmer House as well as the proposed management office/accommodation with storage. At present car parking spaces are not marked out within the parking area, however the applicant has stated that there are currently 35 car parking spaces available. From Officer site visits and information provided by consultees it is understood that the existing car park is well used although no survey has been carried out by the applicant regarding the frequency that the car park reaches capacity. The car park serves shops at Matmer House as well as those on Melrosegate. The applicant's state that post development there would remain 28 car parking spaces. Little information is provided as to how these spaces would be allocated and used. No information has been submitted which would demonstrate that the proposed number of spaces is suitable and would meet need. Given that the car park would be required to serve larger retail units and staff at the student accommodation as well as existing need from the Melrosegate businesses, it is considered important that the proposed car parking arrangements can be understood and analysed. There are concerns that without a robust plan for the allocation and management of the car parking spaces that there would be indiscriminate parking in the area including on neighbouring residential streets. This could harm residential amenity and the free flow of traffic.

4.23 The submitted plans do not show swept paths for vehicles. There is concern that a number of the car parking spaces shown on the proposed plans could not practically work as parking locations. This is because there does not appear to be sufficient manoeuvring space and some of the drawn spaces are partially blocking rear entrances and existing bin storage areas for retail units on Melrosegate. This has the potential to reduce the amount of available parking to below the 28 spaces specified as being retained. This further adds to the concern that this could cause

indiscriminate parking in the area harming residential amenity and affecting the free flow of traffic.

4.24 No information has been submitted by the applicants to show whether any of the students who would be renting a flat would have a car parking space or the ability to drop off items. No plan is in place for how vehicle parking demand would be managed when students are moving into and out of the flats, which is considered likely to be by car. Without information about how this arrangement would work the Local Planning Authority cannot be confident that there would be no detrimental impact on neighbouring amenity and highway safety.

4.25 Swept path diagrams have not been submitted showing how a refuse vehicle would enter the site, stop close to the bin storage area and turn around and exit the site in a forward gear. Without such evidence there are concerns that there would be a harmful impact on highway safety.

4.26 Pedestrian access to Matmer House would be unaffected. The primary customer/resident entrance would be via the front from Hull Road. The existing well used passageway between Hull Road and the car park would be retained for use. Cycle parking for the proposed building is within a purpose built management building. However, information has not been submitted confirming that the size of the cycle store is sufficient to meet local standards and therefore promote sustainable travel choice. From the plans submitted it appears that the amount of cycle parking proposed is significantly below local standards as set out in Policy T4 of the DCLP. All cycle parking appears to be grouped together into one building and not segregated. There does not appear to be separate cycle parking for staff of the student accommodation or retail units. Cycle parking en masse in this sort of environment is not likely to encourage use as there is generally a perception that it is less secure than smaller more individual storage areas.

4.27 Overall it is considered that insufficient information has been submitted in respect of car and cycle parking and whether access arrangements are workable in terms of vehicles entering the site and being able to turn around and leave in a forward gear. The development is considered to be contrary to DCLP Policy ED10 part 5) which states that car parking has to be satisfactorily managed within new student housing.

REFUSE AND RECYCLING STORAGE

4.28 Policy GP1 part h) of the DCLP states that developments must provide individual or communal storage space for waste recycling and litter collection. At present refuse and recycling bins for businesses at Matmer House and on Melrosegate appear to generally be stored in the open at the rear of the units. This is an existing arrangement which creates an untidy and uncared for appearance to the rear of Matmer House. It is considered that such an arrangement should have

been designed out within an application to redevelop Matmer House in order to create a better environment. Larger retail units are likely to increase the amount of refuse and recycling generated thereby adding to the existing problem. No dedicated refuse and recycling storage areas appear to have been proposed for the enlarged shops.

4.29 A 5.7m by 1.4m refuse and recycling area is provided on the ground floor of the proposed manager's office and accommodation. No information has been submitted to provide confidence that this level of storage would be sufficient for the number of residents within the proposed student accommodation. The refuse and recycling area is detached from Matmer House across an unlit car park. It is considered that this arrangement, combined with the lack of bin storage provision for the shops, is likely to result in rubbish being left around entrances in the car parking area. It is considered that the proposed development has the potential to create an unpleasant environment to the rear within the car parking area. A failure to design adequate refuse and recycling storage facilities is contrary to Policy GP1 part h) and the aims of Policy S10 'New Local or Village Shops' part iii) by having an adverse impact on the character of the area.

5.0 CONCLUSION

5.1 The principle of the redevelopment of Matmer House is considered acceptable. The loss of a small amount of office use in this location is not considered to have a significant impact on the economic aims of the city. The creation of larger retail units could enhance the viability of this local shopping parade and new student accommodation could reduce the pressure on family type housing to be converted into Houses in Multiple Occupation. The application site is in a highly sustainable location and the application seeks to make more efficient use of previously developed land.

5.2 However it is considered that the proposed building does not respect the character and appearance of the area. The size and bulk of the proposed building within such a prominent location seen within the context of much smaller buildings would harm the visual amenity of the area. Furthermore the proposed development would harm neighbouring residential amenity through a loss of outlook, natural light and privacy. Insufficient information has been provided in regards to car and cycle parking as well as refuse and recycling storage. It is considered that the application has the potential to harm residential amenity, the character and appearance of the area, and highway safety.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 It is considered that the proposed development, by virtue of its design, footprint, and height, would harm the character and appearance of the area. The application site is seen within the context of two storey buildings located in a prominent location close to the corner of Melrosegate and Hull Road. The proposed extensions protrude significantly forward of the building line to the front as well as extending to the rear; this combined with a significant increase in height creates a building of significant bulk which would dominate views of the street scene. The loss of space between the front of the building and Hull Road, including extending over the public highway, combined with the loss of a mature tree to the front further add to the sense of encroachment and overdevelopment of the site. The building design appears contrived and overly complicated and does not make a positive contribution to the street scene. The application proposal is not considered well-designed and fails to take opportunities available to improve the character and quality of the area. Therefore, the application is considered contrary to guidance regarding design within the National Planning Policy Framework, in particular Chapter 7 'Requiring good design' with paragraph 64 stating 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. The development is contrary to Development Control Local Plan Policy GP1 'Design' parts a) and b).

2 It is considered that the proposed development, by virtue of its design, height and enlarged footprint would significantly harm the living conditions of local residents. It is considered that the proposed development would appear oppressive and over dominant from the rear of 1 and 3 Millfield Lane and would result in a significant loss of outlook for residents of 277 Melrosegate. In addition it is considered that the development would result in a loss of the amount of natural light entering into residential dwellings along Melrosegate and Millfield Avenue to the detriment of amenity. The development would result in a loss of privacy to the rear of houses on Millfield Avenue further harming local residential amenity. Therefore the application is considered contrary to the Development Control Local Plan Policies GP1 'Design' part i) and ED10 'Student Housing' part 4) which is supported by the 'core planning principles' set out in the National Planning Policy Framework.

3 It is considered that insufficient information has been submitted to enable the Local Planning Authority to assess whether the proposed car and cycle parking and vehicular access arrangements are suitable and in accordance with required standards. It is unclear how car parking would be allocated and managed raising concerns that it could lead to indiscriminate parking elsewhere and pressure on surrounding streets to meet overflow parking demand. This has the potential to

harm residential amenity and the free flow of traffic. No evidence has been submitted that the proposed cycle parking meets local standards and its design is not considered conducive to promoting sustainable travel choice. Information to confirm that a refuse vehicle can enter the site and leave in a forward gear has not been submitted, raising concerns about a detrimental impact on highway safety. Therefore the application is considered contrary to the National Planning Policy Framework which seeks to promote sustainable transport choice and Development Control Local Plan Policy T4 'Cycle Parking Standards' and ED10 'Student Housing'.

4 It is considered that insufficient information has been submitted with regards to the storage of refuse and recycling bins for both the proposed enlarged shops and the student accommodation. It is considered that a lack of well designed, convenient, and enclosed refuse and recycling storage facilities would result in an untidy and unpleasant environment to the rear of Matmer House causing harm to general residential amenity and the character and appearance of the area. Therefore the application is considered to be contrary to the aims of the National Planning Policy Framework in terms of seeking positive improvements to the quality of the environment and making places better for people. The development is contrary to Development Control Local Plan Policy GP1 'Design' part h) and aims of Policy S10 'New Local or Village Shops'.

7.0 INFORMATIVES:

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